

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

JOSEPH W. KOFOED,

No. 3:17-cv-01342-SB

Plaintiff,

v.

STATE OF OREGON ATTORNEY  
GENERAL ELLEN F. ROSENBLUM,  
et al.,

ORDER

Defendants.

HERNANDEZ, District Judge:

Magistrate Judge Beckerman issued a Findings & Recommendation (#19) on January 17, 2018, in which she recommends the Court grant Defendants' motion to dismiss. Plaintiff has timely filed objections to the Findings & Recommendation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings & Recommendation, the district court must make a *de novo* determination of that portion of the

Magistrate Judge's report. 28 U.S.C. § 636(b)(1); *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

I have carefully considered Plaintiff's objections and conclude there is no basis to modify the Findings & Recommendation. I have also reviewed the pertinent portions of the record *de novo* and find no other errors in the Magistrate Judge's Findings & Recommendation.

#### CONCLUSION

The Court ADOPTS Magistrate Judge Beckerman's Findings & Recommendation [19], and therefore, Defendants' motion to dismiss [10] is granted as follows: all claims against Defendants Nass, Balmer, Hill, and Hurliman are dismissed with prejudice and all claims against McKillip and Rosenblum are dismissed without prejudice. Any amended complaint as to those two Defendants is due within fourteen (14) days of this Order.

IT IS SO ORDERED.

DATED this 23<sup>rd</sup> day of February, 2018.



MARCO A. HERNANDEZ  
United States District Judge